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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RAMIRO CERVANTES,

Defendants.

CASE NO. 1:21-CR-00226-JLT-SKO

STIPULATION TO VACATE STATUS HEARING
DATE, SET CHANGE OF PLEA HEARING;
ORDER

DATE: February 15, 2023
TIME: 1:00 p.m.
COURT: Sheila K. Oberto

STIPULATION

The United States of America, by and through its counsel of record, and RAMIRO CERVANTES, by and through her counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on February 15, 2023.
2. By this stipulation, defendant now moves to vacate the status hearing and set the matter for change of plea before the Court as to this defendant on March 6, 2023. Additionally, defendant moves to exclude time between February 15, 2023 and March 6, 2023 under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) As the defendant does not intend on going to trial, the parties request that the status hearing date be vacated. Vacating the status hearing date will conserve judicial resources for a case that has been resolved.

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4. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of February 15, 2023 to March 6, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

5. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: February 8, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ ALEXANDRE DEMPSEY
ALEXANDRE DEMPSEY
Assistant United States Attorney

Dated: February 8, 2023

/s/ TIMOTHY HENNESSY
TIMOTHY HENNESSY
Counsel for RAMIRO CERVANTES

ORDER

IT IS SO ORDERED.

DATED: 2/8/2023

Sheila K. Oberto
THE HONORABLE SHEILA K. OBERTO
UNITED STATES DISTRICT JUDGE